

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:17-cr-00016-RLY-MPB
)	
CHRISTOPHER M. ZASTAWNIK,)	-01
)	
Defendant.)	

REPORT AND RECOMMENDATION

On May 26, 2021, the Court held an Initial Appearance on a USPO Petition for Warrant for Violation of Supervised Release. On June 10, 2021, the Court held a Final Hearing. Defendant Zastawnik appeared in person and with CJA Counsel Dax Womack. The government appeared by Assistant United States Attorney Lauren Wheatley. The United States Probation and Parole Office was represented by Officer Katrina Sanders.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court advised Defendant Zastawnik of his rights and provided him with a copy of the petition. Defendant Zastawnik waived his right to a preliminary hearing.
2. After being placed under oath, Defendant Zastawnik admitted violation #1. ([Docket No. 54](#)).
3. The allegation to which Defendant admitted, as fully set forth in the petition, is:

	Violation Number	Nature of Noncompliance
	1.	<p>"The defendant shall not possess any child pornography or visual depictions of child erotica or nude minors. Any such material found in your possession shall be considered contraband and will be confiscated by the probation officer."</p> <p>On May 11, 2021, this officer observed several images of child pornography and child erotica in screen shots of the offender's monitored smart phone. There were multiple images viewed between May 2 and May 10, 2021.</p>

4. The parties stipulate that:

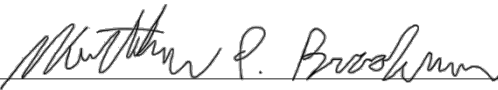
- a. The highest grade of violation is a Grade B violation.
- b. Defendant's criminal history category is I.
- c. The advisory range of imprisonment applicable upon revocation of supervised release, therefore, is 4-10 months' imprisonment.

5. The parties jointly recommended a sentence of seven (7) months with continued supervision upon release from imprisonment.

The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a), and as more fully set forth on the record, finds that the Defendant violated the conditions in the petition, that his supervised release should be revoked, and that he be sentenced to the custody of the Attorney General or his designee for a period of seven (7) months with continued supervision upon release from the Bureau of Prisons.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge. The parties have fourteen days after being served a copy of this Report and Recommendation to serve and file written objections with the District Judge.

Dated: June 10, 2021


Matthew P. Brookman
United States Magistrate Judge
Southern District of Indiana

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